

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Arthur Shabazz Sanders Jr.

Docket No. 5:06-CR-285-4BO

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Arthur Shabazz Sanders Jr., who, upon an earlier plea of guilty to Conspiracy to Possess With the Intent to Distribute and to Distribute Cocaine and More Than 50 Grams of Cocaine Base, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on August 5, 2009, to the custody of the Bureau of Prisons for a term of 262 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

On July 13, 2012, the defendant's term of imprisonment was amended from 262 months to 150 months as a result of the Fourth Circuit Court of Appeals vacating Sanders' sentence and remanding it for sentencing as a result of U.S. v Simmons.

On September 3, 2015, the defendant's term of imprisonment was reduced from 150 months to 125 months following a motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2).

Arthur Shabazz Sanders Jr. was released from custody on August 2, 2017, at which time the term of supervised release commenced.

On September 12, 2017, the court was notified that the defendant had tested positive for marijuana and cocaine in August 2017. A verbal reprimand was issued, the defendant was enrolled in the Surprise Urinalysis Program, and the defendant was referred for a substance abuse assessment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On April 9, 2018, the defendant submitted a drug test which tested positive for the presence of cocaine. When confronted with the result, the defendant admitted he used cocaine. As a result of the defendant's drug use, he has been referred for more intensive treatment and his level of drug testing has been increased. Additionally, it is recommended the defendant be placed under a curfew, with location monitoring, for 45 days, in order to limit his freedom of movement within the community in the hopes of bringing about more compliant behavior. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 45 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8808
Executed On: May 8, 2018

ORDER OF THE COURT

Considered and ordered this 9 day of May, 2018, and ordered filed and
made a part of the records in the above case.

Terrence Boyle
Terrence Boyle
U.S. District Judge